

1 QUINN EMANUEL URQUHART & SULLIVAN, LLP

Charles K. Verhoeven (Bar No. 170151)

2 charlesverhoeven@quinnemanuel.com

David A. Perlson (Bar No. 209502)

3 davidperlson@quinnemanuel.com

Melissa Baily (Bar No. 237649)

4 melissabaily@quinnemanuel.com

John Neukom (Bar No. 275887)

5 johnneukom@quinnemanuel.com

Jordan Jaffe (Bar No. 254886)

6 jordanjaffe@quinnemanuel.com

50 California Street, 22nd Floor

7 San Francisco, California 94111-4788

Telephone: (415) 875-6600

8 Facsimile: (415) 875-6700

9 Attorneys for WAYMO LLC

10 UNITED STATES DISTRICT COURT

11 NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION

12 WAYMO LLC,

13 Plaintiff,

14 vs.

15 UBER TECHNOLOGIES, INC.;
16 OTTOMOTTO LLC; OTTO TRUCKING
LLC,

17 Defendants.

CASE NO. 3:17-cv-00939-WHA

**DECLARATION OF JOHN W.
MCCAULEY IN SUPPORT OF
PLAINTIFF WAYMO LLC'S
ADMINISTRATIVE MOTION TO FILE
UNDER SEAL ITS OPPOSITION TO
UBER'S MOTION TO COMPEL WAYMO
TO RUN ADDITIONAL SEARCH TERMS**

1 I, John W. McCauley, declare as follows:

2 1. I am an attorney licensed to practice in the State of California and am admitted to
3 practice before this Court. I am an associate at the law firm Quinn Emanuel Urquhart & Sullivan,
4 LLP, counsel for the Plaintiff Waymo LLC (“Waymo”). I have personal knowledge of the matters set
5 forth in this Declaration, and if called as a witness I would testify competently to those matters.

6 2. I make this declaration in support of Waymo’s Administrative Motion to File Under
7 Seal information in its Opposition to Uber’s Motion to Compel Waymo to Run Additional Search
8 Terms (the “Administrative Motion”). The Administrative Motion seeks an order sealing the
9 following materials:

| Document | Portions to Be Filed Under Seal | Designating Party |
|--------------------------------|---------------------------------|-------------------|
| Portions of Waymo’s Opposition | Portions highlighted in green | Waymo |
| Ex. 6 to Waymo’s Opposition | Entire Document | Waymo |
| Ex. 7 to Waymo’s Opposition | Entire Document | Waymo |
| Ex. 8 to Waymo’s Opposition | Entire Document | Waymo |
| Ex. 9 to Waymo’s Opposition | Entire Document | Waymo |
| Ex. 10 to Waymo’s Opposition | Entire Document | Waymo |
| Ex. 11 to Waymo’s Opposition | Entire Document | Defendants |

16 3. Waymo has filed Exhibit 11 to its Opposition under seal because it contains
17 information that Defendants have designated confidential. Waymo expects Defendants to file one or
18 more declarations in accordance with the Local Rules.

19 4. Waymo’s Opposition and Exhibits 6-10 also contain or refer to confidential business
20 information, which Waymo seeks to seal. Portions of Waymo’s Opposition (portions highlighted in
21 green) and Exhibits 6-10 contain, reference, and/or describe Waymo’s highly confidential and
22 sensitive business information. Specifically, the highlighted portions of the Opposition describe
23 information related to confidential compensation information for Waymo employees and confidential
24 details regarding Waymo’s bonus program, and the results of Waymo’s efforts in searching for
25 documents in this litigation. In addition, Exhibits 6-10 contain confidential compensation information
26 for Waymo employees and confidential details regarding Waymo’s bonus program. I understand that
27 this confidential business information is maintained by Waymo as secret. The public disclosure of
28

1 this information would give Waymo's competitors access to sensitive information that could be used
2 to Waymo's disadvantage. If such information were made public, I understand that Waymo's
3 competitive standing would be significantly harmed. If such information were made public, I
4 understand that Waymo's competitive standing would be significantly harmed. Waymo's request to
5 seal is narrowly tailored to only the confidential information.

6 I declare under penalty of perjury under the laws of the State of California that the foregoing is
7 true and correct, and that this declaration was executed in San Francisco, California, on August 5,
8 2017.

9 By /s/ John W. McCauley

10 John W. McCauley
11 Attorneys for WAYMO LLC
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SIGNATURE ATTESTATION

Pursuant to Local Rule 5-1(i)(3), I attest under penalty of perjury that concurrence in the filing of this document has been obtained from John W. McCauley.

/s/ Charles K. Verhoeven
Charles K. Verhoeven